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5 UNITED STATES DISTRICT COURT  
6 EASTERN DISTRICT OF WASHINGTON

7 UNITED STATES OF AMERICA,

8 Plaintiff,

9 v.

10 ELISA MERCADO (15),

11 Defendant.

No. 2:05-CR-02075-EFS-15

**ORDER GRANTING THE USAO'S MOTION  
TO DISMISS**

12  
13 Before the Court, without oral argument, is the U.S. Attorney's  
14 Office's (USAO) Motion to Dismiss Case, ECF No. 1794. The USAO seeks  
15 the Court's leave to dismiss the Superseding Indictment, ECF No. 335,  
16 as to Defendant Elisa Mercado (15), without prejudice, pursuant to  
17 Federal Rule of Criminal Procedure 48(a). Defendant Mercado has been  
18 on fugitive status since October 23, 2006. Having reviewed the  
19 pleadings filed in connection with the Motion, the Court grants the  
20 Motion and dismisses the Superseding Indictment as to Defendant  
21 Mercado. The Court makes no judgment as to the merit or wisdom of  
22 this dismissal.

23 Accordingly, **IT IS HEREBY ORDERED:**

- 24 **1.** The USAO's Motion to Dismiss Indictment, **ECF No. 1794**, is  
25 **GRANTED.**  
26

1           2.    The Superseding Indictment, **ECF No. 335**, is **DISMISSED**  
2               **WITHOUT PREJUDICE**, as to Defendant Elisa Mercado (15).

3           3.    The arrest warrant for the above-named Defendant is  
4               **QUASHED**.

5           4.    All hearings are **STRICKEN**, and all pending motions are  
6               **DENIED AS MOOT**.

7           5.    This file is to remain **CLOSED**.

8           **IT IS SO ORDERED.** The Clerk's Office is directed to enter this  
9 Order and provide copies to all counsel, the U.S. Probation Office,  
10 and the U.S. Marshals Service.

11          **DATED** this   2<sup>nd</sup>   day of October 2017.

12                               \_\_\_\_s/Edward F. Shea\_\_\_\_\_  
13                               EDWARD F. SHEA  
14                               Senior United States District Judge